

REMARKS

This Amendment is filed with a Request for Continued Examination. With the entry of this Amendment, Claims 1-28 are pending in the present application, of which claims 1, 13 and 20 are in independent form. Claims 1, 13 and 20 are amended. Support for the amended matter can be found on page 7, paragraph 30 of the application.

I. REJECTION OF CLAIMS UNDER 35 U.S.C. § 102

The Examiner has rejected claims 1-5, 7, 13,14, 16, 20-23 under U.S.C. § 102(b) as being anticipated by Franke et al., Autonomous Driving Goes Downtown, IEEE Intelligent Systems, 1998 (hereinafter “Franke”). Applicants traverse this rejection.

Franke fails to teach the step of tessellating the depth map into a number of patches without detecting a potential threat as recited in amended independent claims 1, 13 and 20. Franke on the other hand, labels or identifies the object (potential threat) as a cluster of feature points in the depth map. See page 42, column 1, paragraph beginning with “The detection step roughly estimates an.....” of Franke. Thus, Franke, is performing some type of “tessellating” by detecting the object (potential threat). Whereas, in the present invention, the depth map is tessellated into a number of patches without detecting a potential threat (object).

Since Franke is devoid of any teachings regarding tessellating the depth map into a number of patches without detecting a potential threat, the Applicants believe amended independent claims 1, 13, and 20 are patentable under 35 U.S.C. § 102 (b). Claims 2-5, 7, 14, 16, 21-23 depend, either directly or indirectly, from claims 1, 13, and 20 and are patentable at least for the same reasons that the independent claims are patentable. As such, the Applicants

respectfully request the rejection of claims 1-5, 7, 13, 14, and 16, 20-23 be withdrawn.

II. REJECTION OF CLAIMS UNDER 35 U.S.C. § 103

The Examiner has rejected claims 6 and 15 as being unpatentable over Franke in view of Yang et al., Vision Based Real-time Obstacles Detection and Tracking for Autonomous Vehicle Guidance. Real-time Imaging VI, Proceedings of SPIE, Vol. 4666, pp. 65-74, 2002 (hereinafter “Yang”).

Neither of the references, Franke in view of Yang alone or in combination teach or suggest the step of tessellating the depth map into a number of patches without detecting a potential threat as recited in amended independent claims 1 and 13. Since, the amended independent claims 1 and 13 are patentable over the prior art, as discussed above, Applicant submits that the dependent claims 6 and 15 are allowable for the same reasons as advanced allowability of claims 1 and 13. Applicant respectfully requests withdrawal of the §103 rejection of Claims 6 and 15.

III. ALLOWED CLAIMS

The Applicants thank the Examiner for allowing claims 8-12, 17-19, and 24-28 subject to rewriting and proper dependence.


CONCLUSION

In view of the above amendment and remarks, Claims 1-28 are submitted to be allowable. Reconsideration and favorable action in this regard are therefore earnestly solicited.

No fee is believed to be required with the entry of this amendment. However, if any additional fee is deemed necessary for this Amendment to be entered and considered by the Examiner, then the Commissioner is authorized to charge such fee to Deposit Account No. **501358.**

Applicants' undersigned agent may be reached by telephone at (973) 597-6174. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,



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